

## **PROTOCOL FOR PUBLIC HEARINGS**

- The City Council takes pride in being fair and courteous to all parties in attendance. It is important that all involved understand how the Council conducts public hearings and how those coming before the Council should conduct themselves.
- Persons wishing to speak to the Council are requested to sign in. Speakers cards are available in the lobby of City Hall one half hour prior to the meeting. The Mayor will call individuals in the order of sign-up. At the conclusion of the speaker list, the Mayor will see if there are other persons present who wish to speak.
- Each individual will have 3 minutes to speak.
- All comments shall be directed to the Council.
- Speakers may not yield their time to another speaker.
- Once all speakers have been heard, the Mayor will close the public hearing and solicit discussion and then a motion from the Council.

## **PROTOCOL FOR PUBLIC HEARINGS PERTAINING TO LAND USE APPLICATIONS**

- The Clerk of Council will announce the item number and item title being considered. The case before the Council shall be presented by a staff member of the Community Development Department.
- After the case has been presented, the applicant or the applicant's representative will have up to 10 minutes to address the Council and present written and/or oral comments. The applicant may request up to three (3) additional minutes for rebuttal of any comments from speakers in opposition to the application.
- Individuals, other than the applicant or the applicant's representative who have signed up to comment on the case shall have 3 minutes to present written and/or oral comments. If the speaker represents a civic league or association, business improvement district, merchants association or a formally organized association, the speaker may have up to five (5) minutes to present comments. [Representative speakers should sign the speaker card with his or her name and the name of the organization represented.]

- All comments shall be directed to the Council. Specified time limits may vary at the discretion of the Presiding Officer. No person may address the Council until he/she has first been recognized by the Presiding Officer. Speakers shall remain at the podium or microphone while addressing the Council and shall first state their name, address, and in the case of an agent or representative speaking for more than one location, furnish a written list giving names and addresses.
- Speakers who have signed up may use their allotted time only for themselves and may not donate time to other speakers.
- Comments must be confined to matters germane to the business of the Council and should not be cumulative or repetitive.
- Speakers should address the Council with decorum. Loud, boisterous and disruptive behavior, obscenity, and vulgarity should be avoided, as well as other words or acts tending to evoke violence or deemed to be a breach of the peace. Speakers shall not be interrupted by the audience comments, calls or other disruptions.
- Councilmembers may question each speaker at any time during his/her presentation.
- After all persons who desire to address the Council have had the opportunity to do so, the Presiding Officer may grant rebuttal time to the applicant, if previously requested by the applicant, and **at his/her discretion** may grant additional time to persons, other than the applicant, who have previously spoken. The Presiding Officer may close the public hearing at any time after all persons who desire to address the Council have had one opportunity to do so, other than any rebuttal reserved by the applicant.

**NOTE: When evaluating a land use application, there are certain factors that the City Council is legally permitted to consider and certain factors that the City Council may not consider. In short, the City Council is tasked with ensuring an appropriate use of land throughout the City. In doing so, they may consider: the Community Plan, the Zoning Ordinance, compatibility of the proposed development with the adjacent neighborhood, and any adverse impacts that the proposed development may create.**

**The most important factor for the City Council is the proposal's consistency with the City's Community Plan and applicable Master Plan, if any. The Community Plan and Master Plans are drafted and adopted with significant public input and reflect the community's vision for the future of the City.**

**The City Council may also consider consistency with the Zoning Ordinance.**

**The City Council may also consider whether the proposed use is compatible with the surrounding neighborhood as well as any anticipated adverse impacts that the proposed development may create.**

**Other impacts the City Council may consider include safety, property values, location of certain uses in proximity to other uses, and the proposal's effect on public resources such as schools.**

**Citizen support or opposition to a land use application is also considered by the City Council, but the City Council must review all comments—in support or in opposition—in the context of Virginia Law. Claims about negative impacts without any evidence may not be considered by the City Council.**